

Serial No. 09/694,530
Reply to Office Action of December 31, 2003

ATTACHMENTS

Priority document U.S. provisional application Serial No. 60/060,817 having a filing date of October 1, 1997 is attached hereto at Appendix A.

REMARKS

By the above amendments, existing independent claims 3, 6, 8 and 9 have been amended not to narrow the claims but rather emphasize inherent features thereof. Support for the substantive claim amendments is found in the specification at page 9, lines 1-10. Accordingly, it is submitted that no new matter has been added to the application by way of this amendment.

Claims 1-9 remain rejected under 35 U.S.C. §102(e) as anticipated by DeBrouse (U.S. Patent 5,920,053). In response to the leveling of this rejection, Applicant filed a declaration on 1 October 2003 under 37 CFR 1.131. The Examiner found the declaration ineffective to overcome the DeBrouse reference. The basis for the ineffectiveness of the declaration was that the provisional patent application Serial No. 60/060,817 is considered not to support the features claimed in the instant application.

In response, Applicant traverses in part this holding and notes that those claims not supported by the priority document are not anticipated by DeBrouse.

With respect to pending claim 1, Applicant respectfully directs the Examiner's attention to claim 1 of provisional patent application Serial No. 60/060,817 attached hereto as Appendix A. In particular, provisional patent claim 1 at lines 3, 4 and 8-9 teaches subject matter that is submitted to support pending claim 1. Additionally, support for pending claim 1 is found in the provisional application at page 1, line 17 – page 2, line 6. Accordingly, Applicant respectfully

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requests that pending claim 1 be accorded the priority date as requested in the declaration made of record on 1 October 2003.

Likewise, pending claim 2 finds support in the provisional application, claim 1, lines 6-7. Additionally, the provisional application at page 2, lines 17-19, likewise supports pending claim 2. Accordingly, Applicant respectfully requests that pending claim 2 be accorded the priority date as requested in the declaration filed on 1 October 2003.

Pending claim 4 finds support in the provisional application in claim 2 as well as page 2, lines 17-19. Accordingly, Applicant respectfully requests that pending claim 4 be accorded a priority date as requested in the declaration filed on 1 October 2003.

Applicant believes that the preamble of claim 1 does not constitute a limitation on the claim scope since the preamble is not necessary to give meaning to the claim and properly define the invention. *DeGeorge v Bernier*, 768 F.2d 1318, 226 USPQ 758 (1985). As such, the failure to find support for claim 1 as a result of the preamble is respectfully submitted to be improper in light of the above case law.

With respect to pending claims 3 and 5-9, Applicant submits that the subject matter of these claims is not anticipated by DeBrouse. Claims 3 and 7 recite the limitation that the human cognizable image printed on the boarding pass is in "an ink color associated with a particular transport departure" (claim 3, lines 2-3) or "an ink color associated with a transport departure of the bearer" (claim 7, lines 4-5). In rejecting these claims, the Examiner cites as anticipatory teaching number 120 of Figure 1. (Paper No. 6, page 3).

Applicant submits that the notion of printing a boarding pass per DeBrouse is not anticipatory of a color coded boarding pass system where the ink color or background color of the pass corresponds to a specific departure. As such, Applicant requests that the rejection of

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claims 3 and 7 as being anticipated by DeBrouse under 35 U.S.C. §102(e) is no longer proper and it is requested that it be withdrawn. Should the Examiner maintain this rejection, it is respectfully requested that the basis of the rejection be stated with greater specificity.

With respect to claim 5 that recites the human cognizable image being printed in a non-smudgeable ink, DeBrouse is completely silent as to this claim limitation. The Examiner has cited this feature to be "generally shown in Figure 5." (Paper No. 6, page 3).

Figure 5 in fact shows a luggage tag and not a boarding pass. Additionally, neither Figure 5 nor any portion of the specification contemplates a non-smudgeable ink. As such, Applicant believes that the rejection of claim 5 as anticipated by DeBrouse is no longer proper and it is respectfully requested that it be withdrawn. Should the Examiner maintain this rejection, it is respectfully requested that the basis of the rejection be stated with greater specificity.

Claim 6 recites a process wherein the electronic image stored in a centralized database is retrieved therefrom and displayed on a video display upon the entry of an individualized travel datum.

In contrast to the subject matter of claim 6, DeBrouse nowhere teaches recalling a human cognizable image from a central database upon entry of a travel datum. As a result, it is believed that the rejection of claim 6 as being anticipated under 35 U.S.C. §102(e) as anticipated by DeBrouse is no longer proper and it is respectfully requested that it be withdrawn. Should the Examiner maintain this rejection, it is respectfully requested that the basis of the rejection be stated with greater specificity.

With respect to claim 8, a travel boarding pass is claimed having a self-supporting boarding pass having a machine readable data series. This claim has further been amended to

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highlight the fact that the boarding pass does not have a human cognizable image of the bearer thereon. The system further includes a machine data reader that upon reading the data series from the boarding pass recalls a human cognizable bearer image on the video display.

In contrast to pending claim 8, DeBrouse while admittedly reading a data series, nowhere teaches the aspect of recalling a human cognizable bearer image upon the reading of the data series from the boarding pass. As such, it is now believed that the rejection of independent claim 8 under 35 U.S.C. §102(e) as anticipated by DeBrouse is no longer proper and it is respectfully requested that it be withdrawn.

Independent claim 9 details a process for encoding a boarding pass with an image to facilitate verification that includes encoding "a machine readable data series onto a boarding pass" (claim 9, lines 6-7) and "reading the data series to said computer database; recalling a human-cognizable image of the passenger from said computer-storable image output, said computer-storable image output referenced to said data series with said computer database; displaying said human-cognizable image on a video display interfaced with said computer database" (claim 9, lines 10-15).

In contrast to pending claim 9, DeBrouse nowhere describes recalling a human cognizable image of a passenger based upon reading of the data series from a boarding pass. This is in spite of the fact that DeBrouse teaches the use of barcodes for the purpose of correlating a passenger with baggage.

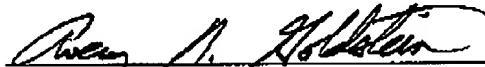
In light of the above remarks, it is now believed that the rejection of claim 9 under 35 U.S.C. §102(e) as anticipated by DeBrouse is no longer proper and it is respectfully requested that it be withdrawn.

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Summary

Claims 1-9 remain pending in the application. Claims 1, 2 and 4 are submitted to be prior inventions to the art of record based on the information provided in U.S. provisional application Serial No. 60/060,817. The remaining claims are submitted to be patentably distinct over the prior art of record. Each claim is now believed to be in proper form and directed to allowable and patentable subject matter. Reconsideration and allowance of the claims is solicited with the entry of this amendment. Should the Examiner have any additional suggestions to improve the form or clarity of the claims, Applicant respectfully invites him to contact the undersigned attorney at the office number given below.

Respectfully submitted,



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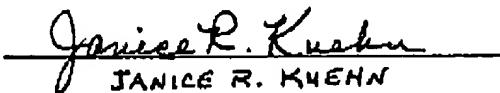
Attorney for Applicant

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Enclosure

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CERTIFICATE UNDER 37 CFR 1.6(d)

I hereby certify that this correspondence is being sent to the United States Patent Office via facsimile (303-872-9306) on March 1, 2004.


JANICE R. KUEHN

METHOD FOR VERIFYING THE IDENTITY OF A PASSENGER

Field of the Invention

Security at airports, train and bus stations as well as other central transportation sites is a concern for all who utilize conveyances such as airplanes, 5 trains and buses. Various systems are utilized to verify the identity of a passenger prior to boarding such a conveyance. For example, the identity of the passenger is typically verified at the time the ticket is purchased, at the time the boarding pass is issued or during passenger check-in. Because the identity of a passenger is not typically verified after the purchase of the ticket or after the issuance of the 10 boarding pass, there is an opportunity for a ticket purchased by one passenger to be utilized by another passenger. Thus, there remains a need for a simple system which will permit the verification of the identity of a passenger at the time of boarding the particular conveyance.

Summary of the Present Invention

15 The present invention satisfies this need by providing a method for verifying the identity of passenger at the time of boarding. The method includes the steps of initially verifying the identity of a passenger prior to the time of boarding. For example, the identity of the passenger may be verified at the travel agent or airline counter when the ticket is purchased and travel arrangements are made. 20 Alternately, the identity of the passenger may be verified upon check-in at the transportation site. Next, a photographic image of the passenger who purchased the ticket is taken with a camera capable of generating and outputting an electronic image. A variety of digital cameras are available which enable an electronic image

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to taken of an individual and which output an electronic image. The electronic image is then associated with information on the travel arrangements of the passenger, such as flight number, train number, seat assignment, departure time and the like.

5 The electronic image is input to a printer which prints a human-cognizable image of the passenger onto a boarding pass which is depicted in Figure 1. Preferably, the information on the travel arrangements of the passenger is also printed onto the boarding pass at this time, although the electronic image may be printed onto a boarding pass already containing such information. Several human-
10 cognizable images may be printed on the boarding pass, thus enabling an image to be printed on tickets having several separable portions.

The passenger then proceeds to the boarding site with the boarding pass. At the time of boarding or upon arrival at the boarding site, the human-cognizable image on the boarding pass is compared with the passenger presenting the boarding
15 pass to ensure that the passenger who purchased the ticket is the same passenger who is boarding the conveyance.

In a preferred embodiment, the electronic image of the passenger is associated with the travel arrangements of the passenger and stored in a centralized database.

20 In an alternative embodiment, the camera taking the image of the passenger may directly apply the image to the boarding pass by using either photosensitive

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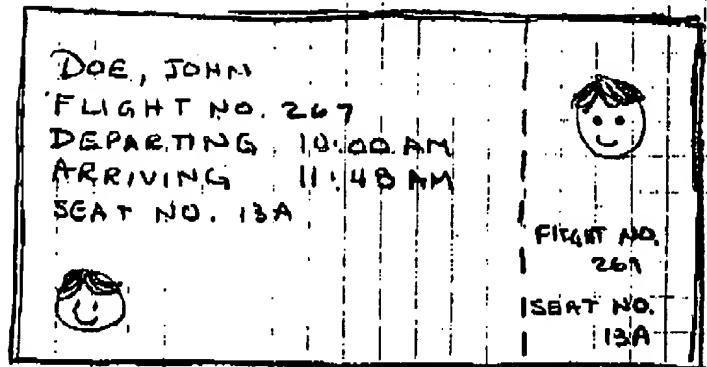
material in at least a portion of the boarding pass in a Polaroid-type system or by directly transferring the electronic image created by a digital camera to the boarding pass.

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Claims

- 1 1. A method for verifying the identity of passenger at the time of boarding including the steps of:
 - 3 verifying the identity of a passenger prior to the time of boarding;
 - 4 taking a photographic image of the passenger with a camera capable of
 - 5 generating an electronic image output;
 - 6 associating the electronic image output with information on the travel
 - 7 arrangements of the passenger;
 - 8 printing a human-cognizable image of the passenger along with information
 - 9 on the travel arrangements of the passenger onto a boarding pass; and
 - 10 comparing the human-cognizable image on the boarding pass with the
 - 11 passenger presenting the boarding pass at the time of boarding.
- 1 2. The method of claim 1 further including the step of storing the electronic image output along with information on the travel arrangements of the passenger.
- 1 3. A boarding pass for a conveyance, the boarding pass of the type comprising a document listing a passenger's name and destination, wherein the improvement comprises:
 - 4 a photographic image of the passenger displayed on the boarding pass.

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